



Waganakising Odawak
Little Traverse Bay Bands of Odawa Indians
Office of Tribal Chairman
7500 Odawa Circle, Harbor Springs, Michigan 49740
Phone 231-242-1418 • Fax 231-242-1411

POLITICAL SOLICITATION PROHIBITION REGULATIONS
REG-WOS 2011-001 XXXXXX-001

- I. Authority.** The Executive is authorized to develop regulations that it deems necessary for the implementation of the intent of a statute and shall forward such regulations to Tribal Council for approval in accordance with WOS 2008-001. These Regulations are not explicitly required by the Political Solicitation Prohibition Statute, WOS 2011-001.
- II. Purpose and Scope.** The purpose of these Regulations is to clarify the intended effect of the Political Solicitation Prohibition Statute and its enforcement procedures. These Regulations clarify that the Statute was intended to protect LTBB citizens from being disrupted or harassed at Tribal buildings, especially the Government Center. Further, it was intended to protect employees from being disrupted and harassed in the course of their employment and at their work place. However, these Regulations clarify that the Statute was not intended to restrict Odawa Casino Resort (OCR) from hosting private political events. Further, the Statute was not intended to restrict official political activity of the Tribe itself, nor was it intended to prevent neutral get-out-the-vote initiatives. These Regulations finally clarify that the responsibility for enforcement of the Statute belongs primarily to Tribal Law Enforcement.
- III. Definitions:**
- A. Get-out-the-vote Initiative:** Politically-neutral efforts to register eligible voters to vote in Tribal or non-Tribal elections, not for the purpose of getting signatures or votes for specific candidates, referendums, petitions, or recall elections.
 - B. Political Purposes:** Campaigns, initiatives, referendums, recalls, petitions, or other election-related activities. "Political" for the purpose of the Statute and these Regulations refers to politics of Tribal government as opposed to non-Tribal government or any official political activity or position of the Tribe as determined by Tribal Council.
 - C. Private Political Event:** Any political event, whether paid or unpaid, wherein participation is voluntary. No private political event will be held on behalf of the Tribe without being approved by Tribal Council.
 - D. Solicit:** To endeavor to obtain an object, or bring about an event; to woo; to court; to persuade or incite one to commit some act; to make a petition; to disturb

or trouble; to harass. “Solicitation” for the purposes of the Statute and these regulations pertains to solicitation for political purposes only.

- E. **Statute:** Political Solicitation Prohibition Statute, Waganakising Odawak Statute 2011-001, and Amendment to Waganakising Odawak Statute 2011-001 Political Solicitation Prohibition, Waganakising Odawak Statute 2011-010.

IV. Prohibitions and Exceptions.

- A. Except as written under § IV(B), political solicitation is prohibited anywhere Tribal business is transacted or conducted, and while an LTBB employee is performing his or her official duty, and in all Tribal buildings, and within 150 feet of a building during which a poll or election is taking place inside that building.
- B. This Statute’s prohibitions do not apply to activities in the following situations:
 - 1. Private political events on Tribal housing property that is either leased or owned by an individual.
 - 2. The Tribal candidates’ forum sponsored by the Election Board.
 - 3. Get-out-the-vote initiatives on Tribal property at any time.
 - 4. Private political events hosted by OCR and/or the Tribe.
 - 5. The Annual Meeting or Special Meetings of the Tribal Membership in accordance with the rules of conduct for membership meetings.

V. Political Events at Odawa Casino Resort.

- A. OCR is not prohibited from hosting private political events, subject to the following conditions:
 - 1. A posted notice shall be made to the public that the event is a private event and is not subject to the restrictions of the Statute or these Regulations.
 - 2. OCR shall not endorse or otherwise give any benefit to the event host or the beneficiary of the event that it would not provide equally to any other.
 - 3. OCR shall make fair, neutral, and business-driven determinations about whether or not to host a private political event.

VI. Law Enforcement.

- A. Tribal Law Enforcement officers shall have the discretion to issue a warning or notice of trespass citation in either of the following situations, subject to accepted Court rules pertaining to evidence:

1. The Officer has reasonable cause to believe that a violation of the Statute has occurred in his or her presence; and/or
 2. The Officer has reasonable cause to believe that a violation of the Statute has occurred in the presence of a witness.
- B. For Tribally-sponsored events, such as the Annual Meeting or special meetings of the Tribal Membership, organizers may request the presence of Tribal Law Enforcement for purposes of maintaining order and enforcing the provisions of the Statute and these Regulations. In such event, a posted notice shall be made at each entrance to the event that the Statute and these Regulations are in force.
- C. If OCR Security has reasonable cause to believe that a violation of the Statute or these Regulations has occurred on the grounds of OCR, OCR Security shall, in accordance with existing procedures, call Tribal Law Enforcement to maintain order and may, subject to § VI(A), issue a notice of violation of trespass citation.
- D. In accordance with existing procedures, OCR Security officers and Tribal Law Enforcement officers may remove an individual who has violated this statute from Tribal Property where the issuance of a citation in accordance with § VI(A) does not stop the illegal behavior.
- E. OCR Security and Tribal Law Enforcement shall provide the necessary training to each of their departments in order to carry out these Regulations.

CERTIFICATION

As Chairperson, I certify that I approve the “Political Solicitation Prohibition Regulations.” These “Political Solicitation Prohibition Regulations” will be posted for public comment and may be amended pursuant to public or staff comments before submission to Tribal Council.

Date

Tribal Chairperson